

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ori Eisen)	
)	Group Art Unit: 3621
Serial No.: 10/791,439)	
)	Examiner: Not Yet Assigned
Filing Date: March 2, 2004)	
)	Confirmation No. 3435
Title: Method and System for Identifying Users and Detecting Fraud by Use of the Internet)	
)	Customer No.: 021971

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the above-identified application on the merits, please amend the application as follows.

A Petition to Expunge was filed on August 25, 2005 to remove/expunge certain information containing personal information that was part of the instant patent application filed on March 2, 2004. A decision to grant the petition was received from the USPTO on October 11, 2005 (please see attached). Applicant hereby submits an amended Chart with redacted portions of the original Chart, and does not introduce new matter.

CONCLUSION

Applicant submits this Preliminary Amendment prior to the examination of this application on the merits. Applicant respectfully requests its entry prior to examination of the present application.

The Commissioner is hereby authorized to charge any required fees due in connection with this submission, including petition and extension of time fees, and to credit any overpayment, to Deposit Account No. 23-2415 (Docket No. 31718-701.201).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation



U.P. Peter Eng
Registration No. 39,666

Dated: February 14, 2006

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304-1050
Phone: (650) 493-9300
Fax: (650) 493-6811



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U.P. PETER ENG
WILSON SONSINI GOODRICH AND ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304

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OFFICE OF PETITIONS

In re Application of
Eisen :
Application No. 10/791,439 : ON PETITION
Filed: 2 March, 2004 :
Attorney Docket No.: 31718-701.201 :

This is a decision on the petition filed (with fee) on 25 August, 2005, and then twice in altered forms on 30 August, 2005, and considered under 37 C.F.R. §1.183 to expedite and to expunge from the file under 37 C.F.R. §1.59). certain documents improvidently submitted by Applicant and original Counsel.

The petition under:

- under 37 C.F.R. §1.183 for expedited consideration is **GRANTED**; and
- 37 C.F.R. §1.59 is **GRANTED** to the extent that the improvidently submitted Chart containing what Petitioner describes as “personal information” hereby is directed to be expunged—i.e., made unavailable and inaccessible to unauthorized review and consideration—in a fashion to be determined by the Office; in all other respects the petition is **DISMISSED**.

The instant application was deposited by Applicant through original Counsel on 2 March, 2004, with what was represented as a specification (description, claims, abstract) and an appendix identified in the instant petition as “the Chart.”

On 25 August, 2005, Petitioner filed a Revocation/Power of Attorney.

On 30 August, 2005, Petitioner filed the instant petitions seeking a waiver to expunge the originally filed Chart submitted in illustration but containing what Petitioner now describes as "personal information" that erroneously placed in the Chart and substitute an amended Chart containing what Petitioner essentially describes as nonsense data to restore the illustration. Specifically, the Chart originally submitted is alleged to contain partial real names, E-mail addresses and credit card numbers intended to be fictitious examples, and the substituted Chart is averred to contain more-thoroughly fictitious examples containing none of the real data (personal information) previously submitted.

NOTE: Before the instant petition was filed, the Office posted on its website, [www.uspto.gov at http://www.uspto.gov/web/doc/privact.htm](http://www.uspto.gov/web/doc/privact.htm), a caution to applicants and practitioners¹ regarding the inclusion of personal/private information in applications, petitions and other papers.

Petitioner and Applicant(s) are reminded to review and consider this posting.

Thus, Petitioner wishes to remove/expunge the Chart as originally submitted and replace it with an amended version containing wholly fictitious example data.

¹ Specifically, the side-bar special notice at the Office website stated/states:

Protect Yourself Against Identity Theft!

To Our USPTO Customers:

When filing documentation in support of applications or petitions, please take steps to protect all personal information. "Personal information" includes social security, credit card and banking account numbers. **This type of personal data is never required by the USPTO to support a petition or application.**

To protect your privacy, we suggest that you delete such information from any documentation you send the office.

Alternatively, you may request that the submissions be kept out of the public file, if appropriate. (See MPEP Sections 724.02 to 724.06.)

Please remember that all patent application files are published and made available to the public 18 months from the filing date, unless a non-publication request is made in the application. Additionally, all patented application files will become available to the public upon the grant of the patent.

If you have questions about what information may be published and how to remove the material from documents you plan to submit to the USPTO, please call the Inventors Assistance Center at 1-800-786-9199 or 571-272-1000 TTY: 571-272-9950.

CONCLUSION

Accordingly, the request under:

- 37 C.F.R. §1.183 for expedited consideration of the petition is granted; and
- 37 C.F.R. §1.59 for expungement of the Chart containing “personal information” is granted to the limited extent that is directed that the Chart as deposited on 2 March, 2004, is to be expunged—i.e., made unavailable and inaccessible to unauthorized review and consideration—in a fashion to be determined by the Office; and

in all other respects the petition is dismissed.

Petitioner is reminded that the entry of the amended Chart submitted is the exclusive province of the Examiner to be considered on submission of an amendment by Petitioner expressly for that purpose.

The instant application is being released to OIPE for further processing before being forwarded for substantive examination.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-9199.



John J. Gillon, Jr.
Senior Attorney
Office of Petitions